



Appeal Decision

Site visit made on 3 July 2017

by S M Holden BSc MSc CEng MICE TPP FCIHT MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 7th July 2017

Appeal Ref: APP/B5480/D/17/3173663

2 Noak Hill Road, Harold Hill, Romford, Essex RM3 7LA

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Kevin Pinion against the decision of the Council of the London Borough of Havering.
 - The application Ref P1953.16, dated 23 November 2016, was refused by notice dated 20 January 2017.
 - The development proposed is described as "retrospective planning permission is sought to retain newly built outbuilding/garage".
-

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effects of the outbuilding/garage on the Green Belt as follows:
 - Whether the outbuilding/garage is inappropriate development within the Green Belt for the purposes of the National Planning Policy Framework (the Framework) and development plan policy;
 - The effect of the development on the openness of the Green Belt;
 - The effect of the development on the visual amenities of the Green Belt;
 - If the development is inappropriate, whether the harm by reason of inappropriateness and any other harm is clearly outweighed by other considerations, so as to amount to the very special circumstances necessary to justify the development.

Reasons

Whether the garage is inappropriate development within the Green Belt

3. The appeal property is a semi-detached bungalow located within a short length of ribbon development, characterised by semi-detached and detached, bungalows and chalet-bungalows set in generously proportioned plots. It lies within the Metropolitan Green Belt. The dwelling already has a small, flat-roofed rear extension. A timber-clad outbuilding /garage has been erected within the rear garden. Apparently this replaced a similar flat-roof structure that was in disrepair. However, few details of what previously existed on the site have been provided with the appeal.

4. The Government's approach to protecting the Green Belt is set out in Section 9 of the National Planning Policy Framework (the Framework). It states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 89 of the Framework makes it clear that new buildings are inappropriate in the Green Belt. One of the few exceptions is an extension to an existing building, provided that it does not result in a disproportionate addition over and above the size of the original building. The assessment of whether or not a proposal is a disproportionate addition is made on a case-by-case basis, taking account of the specific circumstances of the site and the proposal.
5. Policy DC45 of the London Borough of Havering Core Strategy and Development Control Policies (Core Strategy) pre-dates the Framework, but is broadly consistent with the Framework's approach. It will permit an increase in cubic capacity of up to 50% for extensions, alterations and replacement to existing dwellings. However, neither the Framework nor the Core Strategy make specific reference to outbuildings that are ancillary to residential properties.
6. The only information about the original garage was a photograph taken from the street and an extract from Google maps. There was no indication of its floor area or volume, but it would appear that the replacement building is significantly larger than the original. The submitted plan did not provide any dimensions and no calculations relating to its size were provided by either party. The Council estimated the original cubic capacity of the dwelling to be 228.3m³. It therefore considers that the enlargement of the outbuilding/garage, when considered cumulatively with the dwelling and its extension, will have breached the 50% threshold set out in Policy DC45. I have no reasons to disagree with this assessment.
7. The outbuilding/garage is a substantial structure which occupies approximately half the width of the plot of this modest semi-detached bungalow. Its length and its pitched roof add to its overall bulk so that it dominates the long rear garden. From a visual inspection of the plans its footprint appears to be more than half that of the original dwelling. All these factors point to the building amounting to a disproportionate addition to the built form on the site.
8. I conclude that the outbuilding/garage is inappropriate development that is, by definition, harmful and therefore contrary to national and local policy to protect the Green Belt. This is a matter to which I attach substantial weight.

The effect of the garage on the openness of the Green Belt

9. Paragraph 79 of the Framework states that the Government attaches great importance to the Green Belt. The essential characteristics of Green Belts are their openness and their permanence. Openness is the absence of development.
10. The enlarged footprint of the outbuilding/garage and the replacement of the flat roof with a pitched one have added significantly to the overall bulk of the building. This has resulted in a small loss of openness.
11. I conclude that the small loss of openness is harmful to the Green Belt, contrary to national and local policy to protect it. This is a matter to which I attach limited weight.

The effect of the garage on the visual amenities of the Green Belt

12. There is a significant gap between the western boundary of the appeal site and the adjacent property. I understand that the replacement building has been located further back within the rear garden. It is therefore further from the road and to the rear of a set of gates. However, even with the mature vegetation and hedges within the adjoining garden, the outbuilding/garage can be clearly seen from the street. The full length of its pitched roof is visible when travelling in an easterly direction along Noak Hill Road, introducing additional built form into the Green Belt. This is accentuated by its visual separation from the host property. In addition its materials appear alien and out of keeping with the surrounding rendered and white-painted dwellings.
13. I conclude that the replacement outbuilding/garage is harmful to the visual amenities of the Green Belt, contrary to Policy DC61 of the Core Strategy which, amongst other things, requires new development to maintain, enhance or improve the character and appearance of the local area. This is a matter to which I attach moderate weight.

Other considerations

14. Although there are outbuildings associated with other properties in the locality, this is not a justification for permitting an enlarged building within the Green Belt. The replacement outbuilding/garage is not materially harmful to the amenity of neighbours. However, the absence of harm is not a positive factor in favour of the scheme.

The Green Belt Balance

15. I have concluded that the outbuilding/garage is inappropriate development that would conflict with national and local policy to protect the Green Belt. I have also found that it would be harmful to the openness and visual amenities of the Green Belt, matters which cause limited and moderate harm respectively.
16. There are no other considerations in favour of the development that clearly outweigh the presumption against inappropriate development in the Green Belt and the substantial weight that the Framework requires to be attached to such harm. The very special circumstances necessary to justify the proposal do not, therefore, exist.

Conclusion

17. For the reasons set out above, and having regard to all other relevant matters raised, I conclude that the appeal should be dismissed.

Sheila Holden

INSPECTOR